



July 23, 2019

Larry Brown, President
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206.281.8901

Hayward M. Evans
Washington State Civil Rights Coalition
206.778.6357

Re: WSLC Organizing on R-88

Dear Mr. Evans,

It was with extreme disappointment and sadness that we received your letter dated July 20, 2019 accusing the Washington State Labor Council, AFL-CIO of "... organizing an effort to undermine I-1000's progress..." and accusing the Council, and the labor movement more broadly, of lacking historic and contemporary support for affirmative action and other civil rights issues. The WSLC has a long history of advancing, defending, and winning fights for civil rights for workers, women, our LGBTQ+ siblings, immigrants, and people of color, and our affiliates have been on the front lines of these fights. We have supported legislation, initiatives, and referenda to protect vulnerable communities, to right historical racial and economic injustice, and to promote opportunity for women and minority owned businesses to compete on a level playing field for government contracts. We have also worked with communities of color, environmental organizations, and other labor organizations to ensure that the fight for climate justice is also a fight for racial and economic justice.

While we understand that you may disagree with our approach to I-1000 and R-88, and that you may not agree that our work fighting for racial and economic justice has been sufficient, we do not understand how you came to many of the erroneous conclusions you outlined in your letter, and we do not agree with your assessment of our record on race and social justice. We have always valued our work with communities of color to achieve justice for all Washingtonians, and would like to take this opportunity to correct some misstatements and misperceptions you have written.

First, in your July 20th letter, you alleged that Cherika Carter, our Field Mobilization Director, told members of the NAACP and several other community leaders that the Council was planning a press conference on July 27th to announce a "separate Referendum 88 campaign organization to compete with the current I-1000 campaign, led by the One Washington Equality Campaign Committee." At the

meeting you referenced, Cherika shared with the attendees that Jesse Wineberry had communicated that he was planning a press conference on July 27th. The WSLC has no plans to announce a campaign on July 27th. Indeed, we will be in the middle of our annual convention that day and will be consumed with the work of setting priorities for the next year, including our support for protecting I-1000 via R-88. A simple phone call could have clarified this misperception.

Further, you stated that that African American community has a distrust of organized labor, and listed nine reasons why that is so. I would like to address each reason you stated, in turn, to ensure maximum clarity and to correct the record:

1. *In 1998, 54% of Washington state's labor union members voted for Tim Eyman's Initiative 200 which killed Affirmative Action.*

The Washington State Labor Council, AFL-CIO *opposed* I-200 in 1998, and engaged in an extensive member education effort leading up to the election. Unfortunately, I-200 passed with 58.22% of the vote. And while 54% of labor households may have voted for it, according to your letter, they voted for it at a lower rate than the voting public. Further, our President at the time, Rick Bender, co-authored the opposition statement in the Secretary of State's voter guide, standing shoulder-to-shoulder with Governor Gary Locke, the League of Women Voters, former Governor Dan Evans, and Rev. John Boonstra with the Washington Association of Churches, and other co-authors of the opposition statement.¹

2. *In 2017, the WSLC endorsed Initiative 940 (De-Escalate) on paper, but contributed zero dollars to the I-940 campaign.*

The WSLC was proud to support I-940 in 2017, and helped coordinate the collection of thousands of signatures in support of getting it on the ballot. The Council also included materials supportive of I-940 in our successful "Labor Neighbor" canvasses. During the 2018 Legislative session, labor organizations and their members in Olympia were instrumental in helping to broker to agreement (HB 3003) that ultimately led to the passage of the policy, and passing it *again* in 2019 after the Washington State Supreme Court overturned HB 3003's passage on a technicality. While the WSLC did not make a direct contribution to the campaign in 2017, we did help organize \$385,000 in cash contributions from affiliated and non-affiliated labor organizations, and \$130,435.39 in in-kind contributions from the same.²

3. *In May 2018, WSLC donated \$125,000 to Initiative 1631 which the WSLC twice voted not to endorse and only \$2,000³ to I-1000 which the WSLC unanimously endorsed... twice.*

The WSLC President at the time, Jeff Johnson, co-chaired the Alliance for Jobs and Clean Energy,

¹ https://wei.sos.wa.gov/agency/osos/en/press_and_research/PreviousElections/documents/voters%27pamphlets/1998%20wa%20st.pdf

² https://www.pdc.wa.gov/browse/campaign-explorer/committee?filer_id=DEESWA%20023&election_year=2018

³ According to the PDC, the WSLC contributed \$7,000 to the One WA Equality Campaign.

https://www.pdc.wa.gov/browse/campaign-explorer/committee?filer_id=ONE%20WE%20165&election_year=2019

as well as the “Yes” campaign for the initiative. The WSLC was deeply involved in the policy development from the ground level, and had made commitments to the campaign. While the initiative failed to achieve the 66.66% threshold for formal endorsement at COPE, over 60% of our movement voted in favor of endorsement. Contrarily, I-1000 was drafted without broad community involvement, yet we made a contribution any way because we were – and are – committed to increasing opportunity for people of color in Washington State. But more to the point, the campaign that secured the signatures necessary to send I-1000 to the legislature contracted with a paid signature gathering firm that has strong ties to Tim Eyman and has been at the center of initiatives squarely targeting the livelihoods and economic security of working people in Washington. While we will further address this concern later in this letter, suffice it to say that we had – and continue to have – deep concerns about the campaign’s involvement with this firm.

4. *In July 2018, WSLC affiliates AFSCME Council 28, AFT Washington, Carpenters⁴, Washington State Building Trades, SEIU 775, IBEW 77, Teamsters, endorsed and funded Republican State Senator Mark Miloscia, a fierce and outspoken opponent of Affirmative Action and backer of Tim Eyman’s Car Tab Initiatives and Referendum 88.*

This is true. Former State Senator Miloscia has publically defended worker pensions, collective bargaining rights, the funding of collective bargaining agreements, funding social service programs for people with substance use disorder, people experiencing homelessness, youth in foster care, raising the minimum wage, and securing paid sick and safe leave. Political endorsements are complicated things, and when delegates representing our affiliated unions vote on them, they must weigh the totality of a candidate’s record and relationship with our affiliates and community allies. However, Mark Miloscia was also not in the legislature in 2019 when the Senate voted on I-1000. In an effort to hold our elected representatives accountable, and to educate our members on the importance of this issue, the WSLC has scored that vote for both the House and the Senate in its 2019 Legislative Scorecard.⁵ Further, we included an article on I-1000’s passage in our 2019 Legislative Report, authored by our Field Mobilization Director Cherika Carter.⁶

5. *In September 2018, MLK Labor Council membership approved a \$5,000 donation to I-1000’s signature gathering campaign. MLK Labor Executive Board later rescinded the funds without notifying the I-1000 campaign. Although MLK Labor ultimately paid the \$5,000 donation months later after I-1000 had to borrow funds to submit their signatures, the Board member who opposed I-1000’s \$5,000 donation was subsequently elected President of MLK Labor.*

While we obviously have a close, affiliated, relationship with MLK Labor, that organization is separately chartered from the Washington State Labor Council, elects its own leadership, and makes its own decisions, so we cannot speak for them on this issue. However, were we to speculate, it would likely be safe to assume that MLK Labor shared our concern with the

⁴ The Carpenters are not affiliated with the Washington State Labor Council, AFL-CIO, nor is SEIU 775.

⁵ http://www.wslc.org/wp-content/uploads/2019/07/19-WSLC-Voting-Record_lo-res.pdf

⁶ Page 9. http://www.wslc.org/wp-content/uploads/2019/07/2019-WSLC-Legislative-Report_lo-res.pdf

signature gathering firm contracted by the I-1000 campaign – a firm that has demonstrated time and again its willingness to attack working people for money. We will further address this issue later in this letter.

6. *MLK Labor Council prohibits Constituency Groups of Color from equal endorsement voting rights on Executive Board.*

Again, MLK Labor is a separately chartered organization from the WSLC, though we do have an affiliated relationship. Their constitution, by-laws, and decision making processes are internal matters. If you have concerns with how any labor organization manages its internal affairs, we suggest you speak to that organization directly.

7. *In January, 2019, WSLC excluded I-1000 in their 2019 “Shared Prosperity Agenda” which listed WSLC’s top 22 legislative priorities for the 2019 session.*

The Shared Prosperity Agenda is a document assembled by several union’s legislative directors. It does not represent the totality of our legislative agenda, but highlights issues of particular interest to our affiliates. While I-1000 was not on our agenda, for better or worse, its passage was clearly a priority of the Council. The WSLC paid for and designed a poll demonstrating voters’ perspectives regarding legislative action on I-1000, and the Council convened several strategy meetings by and between legislative leaders, legislative members of color, the business community, representatives of the former Governors who endorsed, and other community allies, many of whom were signed on to your letter. The Council and its affiliated unions were central in pushing for the Legislature to do the right thing by passing I-1000, and expended a great deal of political capital in doing so, and proudly.

8. *In March 2019, WSLC conducted a statewide poll on I-1000, omitting and distorting key facts about I-1000: Example: WSLC omitted the fact that Republican Governor Dan Evans and Democrat Christine Gregoire endorsed I-1000 or that I-1000 protects seniors or people with disabilities.*

We reject the notion that the Council omitted or distorted “key facts” when working with the research firm to design the poll. When designing public opinion polls, we work with research professionals to ensure that the public sentiment reflected in the poll’s results are well grounded, reliable, and credible. We do not engage in push-polling, and would never structure poll questions in such a way as to artificially inflate a respondent’s positive feelings simply because we wish it were so. This is particularly important when using poll results to inform policy makers who might consider that information when making decisions. Such actions would be unethical, and would undermine our credibility and the reputation of our affiliates and their members. The poll you reference was professionally designed with an eye toward informing interested parties as to the public’s true opinion regarding the policy.

9. *On April 18, 2019, neither the WSLC nor any other labor union representatives publicly testified in favor of I-1000 at the Joint House-Senate Legislative Hearing on I-1000.*

This is true, but not for the reasons you are implying. WSLC Government Affairs Director Joe Kendo worked very closely with the chairs of the House Civil Rights and Judiciary Committee, the Senate State Government, Tribal Relations, and Elections Committee, and the Members of Color Caucus to develop a communications and committee hearing strategy. We assembled a labor panel to testify, but ultimately decided to not pursue it so that other communities – particularly communities of color – would have more time to raise their voices. This decision was reached in coordination with the committee chairs to ensure that those most impacted by the policy would have a greater proportion of the limited time available. While we would have loved to shout our support for I-1000 at the hearing, a strategic decision was made in the best interest of the policy, because that was the most important thing. The WSLC did, however, submit written testimony to ensure that the official record reflected our support, and we signed-in to the committee hearing “PRO” and encouraged our affiliates to do the same.

Further, after stating that you would encourage members of the African American community to not work with us on securing the promise of I-1000 at the ballot box, you characterized our work as “yet another attempt by local organized labor to kill affirmative action by dividing the very movement it has deceptively endorsed on paper.” This accusation is beyond the pale, and ignores decades of work the labor movement has done in support of Affirmative Action policies, as well as the many campaigns on which we have partnered with communities of color, faith, immigrants, seniors, veterans, and LGBTQ+ people. These include Raise Up Washington’s work to raise the minimum wage and secure paid sick and safe leave via Initiative 1433, the Alliance for Jobs and Clean Energy’s work around race and environmental justice, securing Legal Financial Obligation reform, passing the Fair Chance Act (aka “Ban the Box”), protecting state-level data from being abused by the Federal Government in its effort to terrorize immigrant communities via the use of the REAL ID law, passage of the Dream Act, passage of the New Hope Act, securing funding for community-based organizations to enforce labor law specifically for communities of color in Seattle, opposing the passage of I-200 in 1998, *and supporting passage of I-1000 during the 2019 legislative session.*

We would also like to further address the accusations you have levied against the labor movement *vis a vis* the campaign to qualify I-1000 as an initiative to the Legislature, and the campaign around Referendum 88 as we believe it is the crux of this conflict. The I-1000 campaign elected to work with Citizen Solutions to get enough signatures to qualify I-1000, a decision we believe to be irresponsible and contrary to the values we hold as a labor movement, particularly with respect to how our affiliates spend their members’ dues money.

Citizen Solutions is Tim Eyman’s go-to signature gathering firm – an association you yourself identified as disqualifying when you accused our members of supporting I-200 (accusation #1 above) and our affiliates’ endorsements of Sen. Miloscia (accusation #4) – and we are not interested in spending our members’ money toward advancing the agenda of that organization. Eyman and Citizen Solutions have partnered in the past to undermine transportation funding that supports thousands of our members’ jobs, resulting in deep cuts to transportation infrastructure, transit investment, and transportation assistance for seniors and people with disabilities. They have also worked to limit the ability of the Legislature to raise revenue in support of critical public safety net programs during the depths of the Great Recession, directly harming unemployed workers, their families, and people who rely on public services to survive.

Further, Eyman has been accused of – and prosecuted for – taking kickbacks from Citizen Solutions, and funneling money intended for one campaign to another, in violation of Washington’s campaign finance laws.⁷ The idea that a significant amount of our members’ resources would be spent on a campaign in support of that company, knowing that it might ultimately go toward enriching anti-worker activists and campaigns, is absurd. It also raises serious red flags as to the strategy employed by the I-1000 campaign in 2018. While the labor movement broadly supported the extremely important goal of expanding opportunity for Washingtonians of color housed in the text of I-1000, we cannot fund that work if those resources ultimately go toward those who have demonstrated year after year a commitment to attacking Washington’s working families.

This concern is not just held by Washington’s labor movement. Other potential allies in securing the promise of I-1000 are also not willing to fund the work of Tim Eyman and Citizen Solutions. If I-1000 is going to be successfully defended at the ballot, it will require a broad coalition of organizations committed to racial justice. The I-1000 campaign, as it existed in 2018 and given its debts to Citizen Solutions today, has not demonstrated an ability to bring together the coalition necessary for success at the ballot. This has resulted in a leadership vacuum that we are committed to helping fill.

We are committed to the success of I-1000, and invite you to work with us as partners in achieving victory. We are saddened that you believe the Labor Movement has violated the trust of the African American community, but we also firmly believe that our record has actually demonstrated a *commitment* to the African American community and we want to work with you. However, the actions of the One WA Equality Campaign to date have undermined our confidence that it is capable of managing that important work.

Finally, it has come to our attention that several of those listed as signatories to your July 20th letter were not involved in its drafting, and were unaware that their names had been affixed as though they had endorsed its content. We find this to be extremely disturbing given the deep, longstanding relationships our movement has with several of them. Surely this was an unintentional oversight that has a simple explanation – and one that we are very interested in hearing – but it also amounts to an additional example of why we believe the leadership of the One WA Equality Campaign is not well positioned to lead a successful defense of I-1000.

We look forward to your clarification.

Sincerely,

Larry Brown
President

April Sims
Secretary-Treasurer

⁷ <https://www.heraldnet.com/news/state-sues-tim-eyman-alleging-campaign-finance-violations/>